



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES
6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3644 FAX (603) 271-2181



March 7, 2003

Re: Documents Requiring Preparation and Stamping by Engineers and Geologists
Submitted to Remediation Programs

Dear Colleague:

As you may know, the Department of Environmental Services had been preparing a single set of rules that would replace Env-Wm 1403, Groundwater Management and Groundwater Release Detection Permits, and Env-Ws 412, Reporting and Remediation of Oil Discharges. Further action regarding the adoption of these revised rules has been delayed and enactment may not occur for some time.

During the development of these new rules, the Department formally requested certain opinions from the NH Board of Professional Engineers and the NH Board of Professional Geologists. The boards were asked to opine regarding the need for specific technical documents submitted to the Department to be prepared and stamped by professional engineers and/or professional geologists as required by RSA 310-A:18 and RSA 310-A:130. The responses the Department received from both boards were very similar, identifying most of the documents as being of a professional nature and requiring preparation and stamping by an engineer and/or geologist.

A list of technical documents requiring submission to the Department by Env Wm-1403 and Env Ws 412 is presented in the following table. The table also includes the recommendations for stamping from the Engineers' and Geologists' Boards for the similar documents in the proposed rules, with one exception - the Initial Site Characterization (ISC) Report. At this time, DES does not require that a licensed professional prepare the ISC since the requirements of an ISC, as spelled out in Env-Ws 412, do not require an "exercise of judgment in the interpretation of data" and do not require the "drawing of conclusions or recommendations". The existing requirements in Env-WS 412 for an ISC are significantly less stringent than the proposed rules reviewed by the Engineers' and Geologists' Boards. For these reasons, DES does not and will not require that an ISC prepared in accordance with Env-Ws 412 be prepared by or stamped by a licensed professional.

Professional Stamping Requirements

March 7, 2003

Page 2 of 2

Document	Requirement for Preparation And Stamping
Initial Site Characterization Report	No requirement
Site Investigation Report	Geologist or Engineer
Remedial Action Plan Report	Engineer
Pilot Tests and Associated Reports	Engineer or Geologist
Design Report	Engineer
Construction Plans and Specifications	Engineer
Remedial Action Implementation Report	Engineer
Periodic Status Report	Engineer or Geologist
Groundwater Management Permit Application	Geologist or Engineer
Annual Summary Report	Engineer or Geologist
Groundwater Sampling Results	No requirement

We realize that some firms may have begun projects which required the submittal of documents to the Department which previously did not require stamping by a licensed professional. Those firms may not have the appropriate professional on staff to prepare and stamp the documents. To accommodate these firms, we are delaying the requirement for stamping to August 1, 2003, i.e., 120 days after April 1, 2003. Documents submitted on or after that date will be required to bear the stamp of the appropriate professional, as called for in the above table. Documents without the professional stamp will not be approved by DES for either reimbursement and/or compliance purposes.

It should be noted that documents that currently require stamping by a professional engineer, such as the Remedial Action Plan and other engineering documents, must continue to carry the stamp of a professional engineer. The above 120-day grace period does not apply to those documents.

Should you have any questions regarding this policy please feel free to contact me at 271-4978 or by e-mail at fmcgarry@des.state.nh.us.

Sincerely yours,



Frederick J. McGarry, P.E., DEE
Chief Engineer, Remediation Programs

cc: NH Professional Engineers Board
NH Professional Geologists Board